

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**PATRICIA MALLORY, et al.,**

**Plaintiff,**

**V.**

**DILLARD'S, INC.,**

## Defendants.

**CIVIL ACTION NUMBER:  
2:07-cv-1003-MEF**

**JOINT STIPULATION OF DISMISSAL AND MOTION FOR ENTRY  
OF JUDGMENT**

COME now Plaintiffs Patricia Mallory, Vaughan Thomas, and Vanessa Jones, and the Defendant, Dillard's, Inc. and move this Court pursuant to Fed.R. Civ.P. 41(a)(1)(ii) and 54(b) to dismiss the claims of each of these Plaintiffs against Defendant with prejudice. This dismissal will resolve all claims in this matter except those asserted by Plaintiff Hollis Casey. The parties hereby jointly request that the Court enter an order certifying this dismissal as final pursuant to Fed.R.Civ.P. 54(b) and requests that the Court make an express finding in its order that there is no just reason for delay and direct that the claims of Plaintiffs Patricia Mallory, Vaughan Thomas, and Vanessa Jones be dismissed with prejudice. The claims of each of these Plaintiffs may be dismissed, with prejudice, with each party

to bear her or its own costs. Dillard's reserves the right to pursue the recovery of all costs against Hollis Casey if it prevails on her claims.

This 29th day of January, 2008.

s/ W. Percy Badham, III

Patrick C. Cooper

W. Percy Badham, III

Kem L. Marks

**MAYNARD, COOPER & GALE, P.C.**

2400 AmSouth/Harbert Plaza

1901 6th Avenue North

Birmingham, Alabama 35203-2602

Attorneys for Plaintiffs

s/ Brian R. Bostick

Timothy A. Palmer

Brian R. Bostick

**OGLETREE, DEAKINS, NASH, SMOAK  
& STEWART, P.C.**

One Federal Place, Suite 1000

1819 Fifth Avenue North

Birmingham, Al 35203

Attorneys for Defendant Dillard's,  
Inc.